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Attorneys for Defendant  
SMITH'S FOOD & DRUG CENTERS, INC.

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ANNA MARIE FRETELUCO,  
Plaintiff,

vs.

SMITH'S FOOD AND DRUG CENTERS,  
INC., a foreign corporation; DOES 1-10; ROE  
CORPORATIONS 10-10; inclusive  
Defendants.

Case No. 2:19-cv-00759-JCM-EJY

**STIPULATION TO EXTEND DATE TO  
FILE A RESPONSE**  
**(SECOND REQUEST)**

WHEREAS, Defendant's response to Plaintiff's Motion to Strike / Exclude Defendant's Rebuttal Expert Lewis M. Etcoff, PH.D [ECF No. 52] was originally due on Thursday, October 29, 2020 [ECF No. 52] but was later continued by stipulation of the parties to November 5, 2020 [ECF No. 53] and by the order of this court [ECF No. 54]; and

WHEREAS, after the court extended the date for Defendant's response, Defense counsel had medical problems arise which resulted in Defense counsel being scheduled for surgery on November 18, 2020 and preparations for the surgery, combined with the underlying medical issues, have prevented Defense counsel from being able to file the response on the current due date – November 5, 2020; and

WHEREAS, counsel for the parties have agreed to extend the date for Defense counsel to file the response for one week – until November 12, 2020;

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IT IS HEREBY STIPULATED AND AGREED by and between KEITH E. GALLIHER, JR., ESQ., of THE GALLIHER LAW FIRM, Attorneys for Plaintiff ANNA MARIE FRETELUCO, and JERRY S. BUSBY, ESQ., of the law firm COOPER LEVENSON, P.A., Attorneys for Defendant SMITH'S FOOD & DRUG CENTERS, INC., that the deadline for Defendant to file a response to Plaintiff's Motion to Strike / Exclude Defendant's Rebuttal Expert Lewis M. Etcoff, Ph.D. (ECF No. 52) be extended for one additional week, until November 12, 2020.

THE GALLIHER LAW FIRM

COOPER LEVENSON, P.A.

/s/ Keith E. Galliher, Jr.

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ANNA MARIE FRETELUCO

/s/ Jerry S. Busby

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SMITH'S FOOD & DRUG CENTERS, INC.

**ORDER**

IT IS SO ORDERED:

  
ELAYNA J. YOUCHAH  
UNITED STATES MAGISTRATE JUDGE